

1 160 when we started out in February of 1991.

2 JUDGE STIRMER: And were you of the view that 160 would
3 be sufficient to solve all the problems of all the radio and
4 television sets within the blanketing area?

5 THE WITNESS: We had thought it would, sir, yes.

6 JUDGE STIRMER: Yes?

7 THE WITNESS: Yes, we thought it would solve them all,
8 sir, yes.

9 BY MR. DUNNE:

10 Q Okay. Mrs. Stewart, I believe Mrs. Gray -- you heard
11 Mrs. Gray's testimony yesterday that you refused to fix a, a
12 radio set that, that she turned on and there was some buzz on
13 the AM radio.

14 A Yes.

15 Q Why did you do that?

16 A I told her I didn't think that KOKS was causing that on
17 her AM band.

18 Q Then that was because the interference was on an AM
19 band?

20 A Yes.

21 Q While you were trying to cure interference complaints
22 at people's homes, if a request was made by someone in their
23 home that you, you'd fix or, or take care of, of interference
24 to a radio set, did you ever refuse to do that other than the
25 instance you just testified to?

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1 A No.

2 Q To the best of you recollection?

3 A To the best of my recollection.

4 Q So, Mrs. Hillis's testimony that when you came to her
5 home in 1991 that you refused to fix her radio -- is
6 inaccurate? Isn't that your testimony?

7 A Yes.

8 Q And Mrs. -- His Honor just asked you about some
9 microwave filters --

10 A Yeah.

11 Q -- some filters that you purchased in 1991. Did you
12 have to send away for these filters, Mrs. Stewart?

13 A Yes.

14 Q They were not something that was an off-the-shelf --
15 MR. DUNNE: Excuse me, Your Honor.

16 BY MR. DUNNE:

17 Q Okay. These -- these filters were not an available or
18 off-the-shelf, shelf item were they?

19 A No.

20 Q And you'd checked with -- did you check with any --
21 local Radio Shack or TV repair places?

22 A None that had -- there was any that I knew of that had
23 this.

24 Q Well, the question was: did you check to see if such a
25 tunable trapper filter was available locally?

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1 A Not at that present time, no.

2 Q Okay. Now, you also heard Mr. Meador testify that he
3 did some work on your satellite system at your home. Is that
4 correct?

5 A Yes.

6 Q Do you know if in fact that he did?

7 A Yes.

8 Q And when did he do that?

9 A I'd say he was probably out there in '87 maybe one time
10 and he came out in the late summer of '88.

11 Q Okay. Let's, let's -- when did you move into your
12 home?

13 A In '85 -- June of '85.

14 Q Okay, and Mr. Meador's testimony that there was a
15 satellite system at the home is, is accurate, is that correct?
16 It was previously installed?

17 A Yes.

18 Q And a second visit was in 1987?

19 A There, there was, there was a visit in '87, I don't
20 know exactly what time.

21 Q I'm, I'm sorry, I characterized it a separate visit --

22 A Yeah.

23 Q -- but the visit that you testified to he made in 1987
24 was to your recollection the first visit he made to your home?

25 A As, as far, far as, as far as I can remember, yes.

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1 Q Okay, and then he came again in 1988 -- in the late
2 summer of 1988?

3 A Yes.

4 Q And that was the last time Mr. Meador, Mr. Meador came
5 to your home to fix the satellite system --

6 A Yes.

7 Q -- to the best of your knowledge?

8 A To the best of my knowledge, yes.

9 Q And what did Mr. Meador do when he fixed your satellite
10 system in the late summer of 1988, if you recall?

11 A I, I don't know what he did -- I did have to take our
12 box in and -- inside the home -- he had to take that box into
13 the -- he said he'd have to take it in and have it fixed.

14 Q Okay. Why did you call Mr. Meador in the late summer
15 of 1988? What problem were you having?

16 A The satellite wasn't working -- completely out.

17 Q I'm sorry?

18 A It was completely out.

19 Q Okay. Was there any particular event that caused that
20 to your recollection?

21 A It was a, it was a electrical storm; we had a lot of
22 lightening.

23 Q Okay, and to the best of your recollection, did Mr.
24 Meador ever come out to your house after late summer 1988?

25 A No.

Q You're sure it's late summer of 1988?

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1 A I'm sure of that.

2 Q And why are you sure of that?

3 A Well, the, the, the -- the transmitter building was
4 built and, and the -- some of the equipment was in it and the
5 electric for the lights on the tower was run for a cord --
6 electrical cord to the, to the outside plug on our home there.
7 And when the -- we had this electrical storm it blew the box
8 off of the tower -- the electrical box off the tower that was
9 housing the -- for the lights and everything and it also run
10 down that cord and blew out the plug-in on the -- our home and
11 come inside and scorched the wall inside.

12 Q Scorched the wall in your home?

13 A Scorched the wall, wall inside so you'd remember that
14 very vividly.

15 Q Was KOKS on the air at the time?

16 A No.

17 Q And you know that because why?

18 A Because we had that cord running there to plug up the
19 lights.

20 Q Okay. Basically, the lights were running off your
21 house current?

22 A Yes.

23 Q And now, you also heard Mr. Michael Beckham's testimony
24 yesterday about what you may or may not have done at the
25 Whispering Oaks Boarding House. Is that correct?

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- 1 A Yes.
- 2 Q When was the first time that you went to Whispering
3 Oaks Boarding House, Mrs. Stewart?
- 4 A I'd say it was September of '89.
- 5 Q Okay. The -- to the best of your recollection it was
6 in September of 1989?
- 7 A Yes, to the best of my recollection.
- 8 Q Okay. I'd like to direct your attention if I could to
9 Mass-Media Bureau Exhibit 21, page 78. Will you look at -- do
10 you have, have that in front of you, Mrs. Stewart?
- 11 A Yes, yes.
- 12 Q Okay. Looking at the top of that, did you type that at
13 the top of the page?
- 14 A I did -- yes, I did.
- 15 Q Does that refresh your recollection --
- 16 A Yes --
- 17 Q -- as --
- 18 A -- it's in February of '89.
- 19 Q Okay. So, it was in February of -- 1989 when you went
20 to Whispering Oaks Boarding Home. Is that correct?
- 21 A That's correct.
- 22 Q Can you describe that visit -- do you remember that
23 visit, Mrs. Stewart?
- 24 A Yes, I do.
- 25 Q Will you describe it for us?

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1 A Yes. May I say this? I first stopped at the home of
2 Mr. Beckham --

3 Q Okay.

4 A -- his home is right -- located right there. And he --
5 I had some filters with me and I told him we could try one if
6 he wanted. But he had a booster and an amplifier and I
7 couldn't do him any good. And I asked for, for permission to
8 go to his boarding home and he said yes, go right on. He said
9 there was a lady down there that was working for him and that
10 she'd let me in. So, I went to the home, introduced myself,
11 and the lady showed me a TV set in the room where some, some
12 of the residents were watching in the upper level there,
13 that's, that's what I could call it, the ground-floor level.
14 And the picture tube was -- the picture was very bad and she
15 told me -- she said, we only get 15 on that one, said it's not
16 -- said that the other channels just don't come in, she said
17 the set -- it's an older set and said that Mr. Beckham had
18 been saying that he was going to replace that set. And so
19 then she took me downstairs which was a, a, a set down there
20 that had a good picture on it and I put a filter on that and
21 it helped. And I went into one of the residents there to her
22 and she had a small TV in there and asked her if she would
23 like to have a filter on her TV. She said oh, that would be
24 fine. And I put one on the TV in this lady's --

25 Q Okay. The filter you're talking about was an FM trap

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1 filter?

2 A It's an 0-75.

3 Q Okay. Would you characterize the, the TV that -- the
4 last TV that you, you put a filter on; was it a portable TV?

5 A Yes, it was, sir.

6 Q Did -- what if anything did you do to the first TV, the
7 one that was upstairs?

8 A I put a filter on it.

9 Q So, you put a filter on the upstairs TV?

10 A Yes.

11 Q On the downstairs TV?

12 A Yes.

13 Q And on this lady's portable TV?

14 A Yes.

15 Q That's three filters?

16 A Yes.

17 Q Okay. May I direct your attention to --

18 JUDGE STIRMER: Was, was Mr. Beckham there?

19 THE WITNESS: No, sir.

20 JUDGE STIRMER: He wasn't there?

21 THE WITNESS: He wasn't there. He gave me permission
22 to go on over.

23 BY MR. DUNNE:

24 Q Okay. I believe it was your testimony, Mrs. Stewart,
25 that there was a lady there, was kind of a caretaker or, or --

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1 A Yes.

2 Q -- a nurse or something?

3 A Yes, um-hum.

4 Q And she was the one who showed you where the TVs were?

5 A Yes.

6 Q Do you recall her name?

7 A No, sir, I don't. I don't know if she gave her name or

8 not.

9 Q Okay. Just to clear up an ambiguity in the record,

10 Mrs. Stewart, I'd like to refer you to Mass-Media Bureau

11 Exhibit No. 21, page 12.

12 A Yes.

13 Q Okay, and it, it says there that you -- when it says

14 "KOKS personnel," that was -- that personnel was yourself, was

15 it not?

16 A Yes.

17 Q Okay. This is describing your visit to the, the

18 boarding home that you just testified to. Is that correct?

19 A Yes.

20 Q Okay, and here it says that you installed four filters.

21 A Yes.

22 Q Do you know why there is a discrepancy between the four

23 filters there and the three filters that are referred to on

24 page 78?

25 A No, just an error in my reporting it to you, I guess.

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1 Q Okay. Okay. Did there come a time that you -- you
2 went to the, the Whispering Oaks Boarding Home again?

3 A Yes, sir, in February of 1991.

4 Q Can you describe that -- who was with you?

5 JUDGE STIRMER: Well, let me interrupt a moment.

6 THE WITNESS: Yes.

7 JUDGE STIRMER: What, what is the date 12/17/88
8 represent on this?

9 THE WITNESS: Where?

10 JUDGE STIRMER: This is on page 12 of Exhibit 21.

11 THE WITNESS: 41?

12 JUDGE STIRMER: Yes, 40.

13 THE WITNESS: 40, I'm sorry, okay.

14 JUDGE STIRMER: See the date 12 --

15 THE WITNESS: 12/17 --

16 JUDGE STIRMER: -- 17/88?

17 THE WITNESS: -- '88.

18 JUDGE STIRMER: What does that date represent?

19 THE WITNESS: Well, it's not the same as this one. I,
20 I, I only made two trips to that home. I must have made an
21 error in giving the date there.

22 MR. DUNNE: Your Honor, I may be able to clear that up
23 with a question.

24 JUDGE STIRMER: All right. Well, the, the dates
25 appearing in this listing represents the dates that you

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1 visited these homes or some representative of the station
2 visited the home?

3 THE WITNESS: These dates here in this, in this --

4 JUDGE STIRMER: Yes --

5 THE WITNESS: -- page 12, sir?

6 JUDGE STIRMER: -- the various dates appearing in this
7 exhibit.

8 THE WITNESS: Yes, it could have been some -- I, I
9 don't know.

10 BY MR. DUNNE:

11 Q Do you recall, Mrs. Stewart, right now?

12 A No, I don't recall, I really don't. I --

13 MR. DUNNE: Your Honor, may I ask, ask a follow-up
14 question? I think I can clear this up.

15 JUDGE STIRMER: Sure.

16 BY MR. DUNNE:

17 Q Mrs. Stewart, may I direct you to again page 78 of the
18 exhibit we've been looking at?

19 A Yes.

20 Q Okay, and you look at the bottom of the page where it
21 says your signature, Whispering Oaks Boarding Home?

22 A Yes.

23 Q Okay, and below that it says the date?

24 A -- yes.

25 Q Okay, and the date is 12/17/88?

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1 A Yes.

2 Q Okay. Now, and I refer you back to page 12 of your --
3 of Mass-Media Bureau Exhibit -- what -- the date is 12/17/88.
4 Is that correct?

5 A Yes.

6 Q Does that refresh your recollection as to how the dates
7 were derived?

8 A Yes, that --

9 Q And the dates were what?

10 A Dates were the same as the date, date on the petition.

11 Q Okay. So, the date that the petition was signed or the
12 complaint was signed, it was the date -- it corresponds to the
13 dates that you see on page 12?

14 A Yes, yeah.

15 JUDGE STIRMER: Do I take it from that that you had
16 these complaints and had these complaints in mind when you
17 made these visits?

18 THE WITNESS: I didn't take this with me, if that's
19 what you're asking. I'm sorry, I didn't --

20 JUDGE STIRMER: Yes.

21 THE WITNESS: I, I didn't take the petition with me,
22 no.

23 JUDGE STIRMER: In other words, when you went to visit
24 a house you didn't take the petition which outlined the
25 various complaints that that petition had --

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1 THE WITNESS: No.

2 JUDGE STIRMER: -- with respect to his reception?

3 THE WITNESS: No, I, I always -- no. I, I just -- I
4 got the phone numbers and talked to the individuals and
5 usually I, I talked to the individuals there and let them tell
6 me.

7 JUDGE STIRMER: All right.

8 BY MR. DUNNE:

9 Q Okay. Mrs. Stewart, we were -- moving back to February
10 1991. Can you describe your second visit to Whispering
11 Homes -- Boarding Home?

12 A Yes. Mr. Lampe, Mr. Stewart and myself -- and we had
13 just been to the home with Mr. Beckham and so he went with us
14 to the boarding home.

15 Q Okay.

16 A And we went downstairs and put a filter on the TV
17 downstairs and we came back up and I noticed that the TV set
18 upstairs was still the same TV set that was there when I was
19 there in '79 -- in '89, I'm sorry. And Mr. Beckham said that
20 he was going to replace it and said would you leave a filter.
21 And I don't remember if I told Mr. Beckham or not, I don't --
22 I didn't hear any conversation between Mr. Stewart and Mr.
23 Beckham -- but we wanted to come back when he got a new set
24 and install it ourselves so that we could be sure of the
25 reception on the new set.

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1 Q You didn't -- was this -- was he talking about the new
2 set -- was this in reference to the upstairs set, the old set?

3 A Yeah, the set upstairs. It was -- the old set upstairs
4 was still the same set that was there when I was there in '89
5 and the lady had told me that they had intended to replace
6 then because it was in bad need of replacement.

7 Q Okay. And is, is it your testimony that he wanted you
8 to leave a filter to put on the new set?

9 A I understood something about leaving a filter and --

10 Q Did he say this to you?

11 A I don't recall, I really don't. I don't recall.

12 Q Did he say this -- in your hearing, for example, might
13 he have said that to Mr. Stewart and you overheard it?

14 A I'm trying -- I was looking at the set upstairs to see
15 if, if the O-75 was still there and that and so I really don't
16 recall; I'm sorry, I don't.

17 Q Okay, but you, you did not hear Mr. Stewart say
18 anything about selling a filter to anybody?

19 A No.

20 Q Mrs. Stewart, if I can, if I can refer you to Mass-Media
21 Bureau Exhibit 19, page one, and I'd like to direct you to the
22 II, it says "Boosters."

23 A Yes.

24 Q And the first name there is?

25 A Percy Beckham.

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1 Q Does that reference -- to correct the, the record, is
2 that reference to Peggy Beckham?

3 A Yes.

4 Q Okay, and I'd like to direct your attention, if I may,
5 to Mass-Medial Bureau Exhibit 19, page 34.

6 A Okay.

7 Q Again, I'd like to direct your attention, if I may, to
8 the top.

9 A Yes.

10 Q Did you type that on the top, Mrs. Stewart?

11 A Yes, I did.

12 Q And you did that of your own personal knowledge?

13 A Yes.

14 Q And it says, "Was told." Who told --

15 A Peggy Beckham.

16 Q Who told you?

17 A Peggy Beckham.

18 Q You spoke with Peggy Beckham on the telephone?

19 A I -- yes.

20 Q Okay. Mrs. Stewart, did you ever have any
21 conversations with Edgar, Edgar -- Edward Hodgins?

22 A Yes.

23 Q And when did those conversations take place?

24 A Probably in November of October, somewhere along in
25 there -- first -- after we went on the station --

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1 Q Okay, and do you recall those conversations?

2 JUDGE STIRMER: No, well, wait a minute. All right.

3 Excuse me, go ahead. He was a witness that you didn't want
4 for cross-examination, is that right?

5 MR. DUNNE: That's correct, Your Honor.

6 JUDGE STIRMER: All right.

7 BY MR. DUNNE:

8 Q Mrs. Stewart, do you remember the conversations?

9 A We was trying to set up a time that we could get
10 together to make an appointment -- his home.

11 Q Did you ever get -- did you ever make an appointment?

12 A No.

13 Q Did you ever find a time that was convenient to visit
14 Mr. Hodgins?

15 A No.

16 Q Did you ever leave a filter for Mr. Hodgins or discuss
17 a filter with Mr. Hodgins?

18 A From, from the directions Mr. Hodgins gave me that his
19 home -- that he was outside the blanketing contours so I gave
20 him the information concerning a, a filter that could be
21 purchased at Radio Shack.

22 Q Okay. When you say from the directions he gave, how,
23 how did you determine, Mrs. Stewart, how --if one was within
24 the blanketing contour?

25 A He, he just told me how many miles he lived away.

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1 Q Okay, and you knew the blanketing contour was so many
2 miles away?

3 A Yes.

4 MR. DUNNE: I have nothing further, Your Honor.

5 MR. SHOOK: How about this donor's list? Don't you
6 want to cover that?

7 MR. DUNNE: I'm sorry?

8 JUDGE STIRMER: The donor's list?

9 MR. DUNNE: Oh, thank you, Your Honor.

10 BY MR. DUNNE:

11 Q Mrs. Stewart, you have in front of you what's been
12 marked and identified as Cav. Cast. Exhibit 12.

13 A Yes.

14 Q Okay. Mr. Ramage testified yesterday that you told him
15 that there was no, there was no donor's list -- that you had
16 no donor's list. Is that correct?

17 A No.

18 Q And you had no list of -- well, you had no donor's
19 list. Was that in fact -- did you -- when Mr. Ramage visited
20 the station did you have a donor's list?

21 A Yes.

22 Q And was it within your public file?

23 A Yes.

24 Q Have you had reference to -- been able to look at Cav.
25 Cast. Exhibit 12?

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1 A Yes, yes, I have.

2 Q Was -- is Cav. Cast. Exhibit 12 what was in your public
3 file at the time Mr. Ramage visited the station?

4 A Yes.

5 JUDGE STIRMER: Why, why didn't you give it to him when
6 he asked for it?

7 THE WITNESS: He confused me about my public issue
8 file.

9 MR. SHOOK: He what?

10 THE WITNESS: When he, he told my public issue file was
11 wrong and didn't even look at it and so I pulled out a page
12 and showed him to it and, and I guess I just got confused.

13 JUDGE STIRMER: Did he ask you for a donor's list?

14 THE WITNESS: He asked me for a donor's list, yes, sir.

15 JUDGE STIRMER: Did you present him what is now Exhibit
16 12 when he asked you to show him your donor's list?

17 THE WITNESS: No, Your Honor, I didn't.

18 JUDGE STIRMER: Why didn't you?

19 THE WITNESS: I was confused and was still thinking
20 about this and I --

21 JUDGE STIRMER: By this you mean the programs list?

22 THE WITNESS: Yes, sir.

23 JUDGE STIRMER: Did he ask for a programs list?

24 THE WITNESS: Yes, I -- and I gave it to him.

25 JUDGE STIRMER: Did you give him all of what's in --

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1 contained in Exhibit 13 up to the point that he had visited;
2 namely, up to February of '92?

3 THE WITNESS: I gave him through, I gave him through
4 October, November and December of 1991 because the, the other
5 one had not been placed in the file yet because it wasn't --
6 didn't have it, didn't have it in the file.

7 JUDGE STIRMER: So, it's your testimony that you gave
8 him all of those lists?

9 THE WITNESS: Yes --

10 BY MR. DUNNE:

11 Q Mrs. Stewart, when you said you gave, did, did you
12 actually hand it to him?

13 A Not this whole -- those notebook I didn't. I laid it
14 on the desk in that room where he was looking at. I got it --
15 the file where -- laid it on the desk like this and there was
16 a, a sheet of paper just kind of sticking out like that and it
17 was a -- had to do with Social Security. And Mr. Ramage
18 said that's wrong. I, I said -- I asked him what was wrong,
19 and he said, that's wrong, that's a Social Security. I said
20 -- I told him yes, sir, we, we have a Social Security program
21 and I don't know why it's just stuck in there, it wasn't
22 fastened in there, it was just stuck in there. And then I
23 took the page out, this one here, and I handed it to him and I
24 asked him would he please look at it and tell me what was
25 wrong with it because I was doing it like I thought Mr. Pruitt

1 -- Mr. Pruitt, when he was there we didn't have one and so I -
2 - Mr. Pruitt told me how to do it and showed me how to set it
3 up and everything and real helpful and I thought I was doing
4 it like Mr. Pruitt told me to do it. And so I, I was really
5 concerned about it, I wanted him to look at it and make sure
6 if he told me what was wrong with it. So I said, if, if I'm
7 making a mistake I need, I need to correct it and do it right.
8 And that's when he took it in his hand and looked at it and
9 said I didn't have it set up, set up in the file. And
10 that's -- I just became a little confused right then, because
11 I didn't understand. Untill now.

12 MR. DUNNE: Your Honor, I have no further questions but
13 I thank you. I'd like to move the admission of Exhibits 12
14 and 13.

15 JUDGE STIRMER: Are there any objections?

16 MR. SHOOK: None, Your Honor.

17 JUDGE STIRMER: Very well. KOKS Exhibit 12 and 13 are
18 received.

19 (Whereupon, the documents referred to as
20 KOKS Ex. 12 and 13 were received into
21 evidence.)

22 JUDGE STIRMER: Cross-examination, Mr. Shook?

23 MR. SHOOK: Yes, Your Honor.

24 CROSS-EXAMINATION

25 BY MR. SHOOK:

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1 Q I'd like a clarification on a couple of points. With
2 respect to the binder, could you just describe for the record,
3 you know, what it is you got up there with --

4 A It's just a notebook.

5 Q Okay, and it's --

6 A -- a three-ring binder.

7 Q -- it's a blue three-ring binder?

8 A Yes, sir.

9 Q And that is the blue three-ring binder that was placed
10 on a desk that was made available for Mr. Ramage to look at?

11 A Yes.

12 Q All right. What is on the cover of the --

13 A "KOKS Public Issue File, Public Affairs Problems File."

14 Q All right, and were, were those markings there when Mr.
15 Ramage was at the station?

16 A Yes.

17 Q All right. In other words, it -- the notebook
18 reflected on its face that it was problems programs notebook?

19 A Yes.

20 Q All right. What other public file documents were in
21 there, or is that just for the problems programs list?

22 A Problem program --

23 Q All right. Was that the only item on the desk or, or
24 were there a number of items on the desk?

25 A I don't recall. Might have been a paper or

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1 something but I -- but this, this laid like this on the desk.

2 Q All right. So, the notebook was on the desk and there
3 was a piece of paper that was sticking out from it?

4 A Yes.

5 Q And that was the piece of paper that attracted Mr.
6 Ramage's attention?

7 A Yes.

8 Q And that mentioned what, Social Security, I think you
9 said?

10 A Social Security.

11 Q All right, and then you took I guess it's KOKS Exhibit
12 12, page -- excuse me, Exhibit 13, page 23 out. You took it
13 out from the binder --

14 A Um-hum.

15 Q -- you showed it to Mr. Ramage --

16 A Um-hum.

17 Q -- and essentially asked him, you know, is this okay?

18 A I asked him to tell me -- since he had said it was
19 wrong, I, I wanted to know what was wrong with it because --
20 so that I could -- so if there was anything with it I could
21 correct it.

22 Q All right. You, you handed it to him, he said it was
23 wrong, you asked him what the problem was and then he told
24 you?

25 A He said it was wrong before I handed it to him; he just

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1 pointed to the paper sticking out of the notebook and said
2 that's wrong. And then I got a little nervous and upset
3 because I had just read a article in the broadcasting magazine
4 that 55% of the stations inspected had something wrong with
5 the public file and I certainly did not want anything wrong
6 with the public file.

7 Q All right, and with respect to your -- well, to follow-
8 up: with respect to the documents that appear as pages one
9 through twenty-four of KOKS Exhibit 13, it would be your
10 testimony then that these documents had been previously
11 prepared and placed in that blue notebook and were there when
12 Mr. Ramage was at the station?

13 A Yes.

14 JUDGE STIRMER: Who typed these lists?

15 THE WITNESS: I did.

16 JUDGE STIRMER: And were they -- when, when -- for
17 example, when was the -- let's say page 12 --

18 THE WITNESS: Page 12?

19 JUDGE STIRMER: -- when was that prepared?

20 THE WITNESS: That would have been prepared after the
21 program had aired then we would have -- I would have prepared
22 them.

23 JUDGE STIRMER: When? I July of '90? Would that be
24 your practice?

25 THE WITNESS: I, I tried to -- in each month -- the

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1 program -- whatever program that, that I'm going to put in
2 here I tried to do it right after it's aired and then I just
3 have it filed in, in a drawer in the filing cabinet that I
4 keep this list in until I get it ready to go into the public
5 file. So, on this one I would, I would say I typed on it
6 three different times.

7 JUDGE STIRMER: So, you would make entries on these
8 pages almost -- contemporaneously with the programs being
9 broadcast?

10 THE WITNESS: Yes.

11 JUDGE STIRMER: In other words, after a broadcast was
12 made some time that day or the next day you'd type the program
13 in?

14 THE WITNESS: Yes.

15 JUDGE STIRMER: Is that what you're saying?

16 THE WITNESS: Yes.

17 BY MR. SHOOK:

18 Q Now, with respect to KOKS Exhibit 12 which is the list
19 of donors --

20 A Yes.

21 Q -- was this list typed up by you?

22 A Yes.

23 Q With respect to the list for 1988 --

24 A Um-hum.

25 Q -- approximately when did you type this list?

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1 A I always typed them at, at the -- in January of, of --
2 the very first week of '89, I -- get the year in.

3 Q All right. So, it was your practice to type it in
4 January of the year following the --

5 A Yes.

6 Q -- the year of the -- donation? Tongue-tied. All
7 right, and how would you prepare this list?

8 A It would be from the programs that was aired through
9 the year; always had a, a -- at the end of the year always had
10 a -- I keep everything in a, in a note file of the programs
11 and I would go through that and go get all my programs list.

12 JUDGE STIRMER: Now, what do you mean by donors? Are
13 these paid broadcasts?

14 THE WITNESS: These are donations made by these people
15 for a certain program -- church --

16 JUDGE STIRMER: They provide you with the programs?

17 THE WITNESS: Yes.

18 JUDGE STIRMER: And you play these programs in
19 consideration of the donations that they make. Is that right?

20 THE WITNESS: Yes, Your Honor.

21 BY MR. SHOOK:

22 Q All right. Well, in some instances, for example, it's,
23 it's actually the programmer that is noted here as the donor?
24 For example, with respect to the donors for 1988 --

25 A Um-hum.

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